

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
LAREDO DIVISION**

LAWRENCE (LARRY) W. SINCLAIR)	
Plaintiff, Pro Se)	
)	Case No. 5:23-CV-109
VS)	
)	
BRIAN MARK KRASSENSTEIN, et al)	
<u>Defendants.</u>)	

PLAINTIFFS RESPONSE TO DEFENDANTS REPLY (DKT 25) ALLEGING PERJURY

COMES NOW PLAINTIFF, Lawrence (Larry) W. Sinclair in response to Defendants Reply to Plaintiffs Reply (Dkt 25) to Plaintiffs Response to Motion to Dismiss per Rule 12 (b) 1 Fed RCP and states:

Defendants flat-out assert in their reply Plaintiff and Plaintiffs friend filed PERJURED SWORN statements to this Court in plaintiffs Reply in Opposition to Defendants Motion (Dkt 22-1 & 22-2) where defendants submit an address listed on a filing and a Florida Circuit Court case, and based upon Social Media accounts “about” info listing plaintiff lives in Monterrey Nuevo Leon Mexico in support of said assertion. Plaintiff does in this reply under oath and under the full penalty of perjury provide the following replies to the assertions of defendants and again state defendants make their false claims as to plaintiffs place of residence as to Diversity and Subject Matter

Jurisdiction based solely on reading or seeing something without making any reasonable effort to verify the accuracy of that which they state, publish and distribute as factual information.

1. Neither plaintiff nor Mr. Gamez has filed any false statements under oath to this Court in Sworn Affidavits (Dkt 22-1 & 22-2) before this court as to plaintiff never living in Monterrey Nuevo Leon Mexico or having only been to Monterrey once on Dec 9, 2022 as set forth in those affidavits.
2. The address listed on the Florida 18th Circuit Court case filing as well as in the Courts Case file e-file system which was updated in August 2023 for Monterrey Nuevo Leon Mexico was provided plaintiff by a friend of as a possible location plaintiff could seek temporary housing should plaintiff obtain medical treatment being sought, if performed in Monterrey. What Defendants did not include was the Motion filed seeking extension of scheduled August 2023 Pre-Trial Conference informing the Court of plaintiff undergoing medical treatment and trying to schedule surgery in Mexico which was filed in July 2023.
3. Plaintiff has never stated the address listed as filings was his personal place or residence or his residence at all at any time and it has not been.
4. Plaintiff has never even personally or physically been at the address listed on said Florida filing.
5. As for Social Media accounts plaintiff again states he updated information on Amazon.com intentionally inserting reference to Monterrey Mexico to demonstrate defendants history of simply republishing statements as facts

rather than verifying its truthfulness; again defendants using something they read somewhere and representing it to be factual is exactly what brought this action to begin with.

6. Plaintiff left Florida in November 2021 approximately 10 days prior to plaintiffs mother passing on November 19, 2021.
7. Plaintiff resided at Sure Stay by Best Western Hotel Laredo Texas for almost a full six (6) months from July 2021 through early December 2021 with a few brief breaks while traveling back and forth to Louisiana and Florida.
8. In early mid December 2021 Plaintiff rented a residence at 1706 Guatemozin St #2, Laredo Texas 78043 until May 2022 when Plaintiff returned to Sure Stay by Best Western Laredo Texas.
9. On May 2 or 3, 2022 plaintiff was notified by his aunt of the passing of his uncle and requested plaintiff be at the funeral. Plaintiff left the Sure Stay traveling to South Carolina for his uncles funeral which is well documented on plaintiffs Facebook page as well if defendants had looked.
10. After returning to Laredo Texas from plaintiffs uncles funeral plaintiff left for Colorado with the intent of possibly returning to residing there. On June 9, 2022 plaintiff was on the road in New Mexico traveling back to Laredo Texas after finding the cost of living in Colorado had become more than he was capable of. On same date Plaintiff had car accident striking a large commercial truck tire in the middle of the Hwy not seen because of the way the sun reflected off the hwy.

11. On June 10, 2022 Plaintiff returned to Sure Stay by Best Western Laredo, Texas.
12. After returning to Laredo and contacting plaintiff's previous landlord of the Guatemozin residence plaintiff learned it had been rented exactly one day prior to his calling Mario to return to renting it. In July 2022 Plaintiff returned to having active Uber Driver account with intent to return to trying to drive for them.
13. In July plaintiff was without transportation for a while as a result of the June 9, 2022 accident in New Mexico due to damage caused and insurance totaling the vehicle.
14. Upon obtaining replacement transportation plaintiff returned to driving for Uber in August 2022. In August 2022 Plaintiff was notified by a lifelong friend Dusty Rose of Camden, South Carolina that his mother Mrs. Hatti Rose had passed and that the family requested he be and speak at her funeral. Mrs. Rose was in fact like a mother to plaintiff in his early childhood.
15. Plaintiff travelled to South Carolina in August 2022 to attend Mrs. Rose funeral. While heading to South Carolina plaintiff's vehicle struck a metal winch which had fallen off a truck in the Houston Texas area early on a Sunday morning destroying front driver side tire with spare back in Laredo Texas. Plaintiff was able to eventually later that day find a replacement and continued to SC.

16. The incident in Houston was reported to Insurance and upon return to Laredo Texas it was discovered the winch had caused other damage which required vehicle repairs.
17. Plaintiff vehicle was towed from what was then Skyline Inn at Santa Ursula & Jefferson in Laredo Texas where plaintiff had been residing and driving for Uber. Vehicle was in the shop from end of August thru October 3, 2022.
18. Plaintiff continued to reside at Skyline Inn Laredo Texas and drive for Uber during this time as income allowed.
19. In September 2022 with income not being what it needed to be plaintiff did ask his friend Mr. Gamez if he could possibly sleep and keep his possession in what was once a cold storage building at 1520 Sherman Street Laredo Texas that was now being used for storage.
20. In October 2022 plaintiff obtained a position with Border Area Nutrition Council delivering meals to inbound individuals until he suffered loss of use of both legs resulting from Guillain-Barre syndrome brought on after being ill with a combination of flu & covid and his already existing nerve damage.
21. Plaintiff began dealing with the issues of his physical condition while trying to continue to drive for Under after regaining mobility in his legs. Plaintiff continued staying at 1520 Sherman st as well as spending some nights with another long time friend at 212 Palm Circle Laredo Texas as well.
22. On Dec 9, 2022 Plaintiff for the first time in his 62 plus years of life travelled to Monterrey Nuevo Leon Mexico with Mrs. Gamez and her step daughter to pick up her wedding dress. On plaintiffs Facebook page are some photos of

that trip as well as live streamed videos. There is also a photo of the owner of Laredo Zapataria who I was attracted to and he allowed me to take his picture as we joked around and I even posted it on Facebook saying he was my soon to be husband.

23. In early Late February early March 2023 Plaintiff began to experience worsening condition and more limited use of his hands and arms (plaintiff has and has had severe nerve damage in both since 2001) causing issue with holding onto things or even being able to open close or raise.

24. Upon seeking medical attention plaintiff discovered in addition to his already known severe carpal tunnel in both despite surgery 3 times on both, and his ulnar nerve entrapment that the Radial, median and Unar nerves in both hands and arms had worsened and the tendon in the right hand/arm had become separated requiring surgery and move and reattachment of tendon. Plaintiff continued to try and drive Uber to secure to means to pay for needed medical care. Plaintiff continued as he does to this date sleep and reside for the purpose of citizen and domicile in Laredo Texas as indicated in plaintiffs application for INP.

25. Plaintiff continued best he could to drive Uber until it became unsafe for him to do so and in May 27, 2023, at 4:27PM completed my last Uber trip.

26. Plaintiff does not and has not lived in Monterrey Nuevo Leon Mexico and nothing defendants file within this court pulled off the internet or any public record they seek is going to make their claim to the contrary any less false than it already is.

27. Plaintiff does as stated spend time in Mexico and does indeed try to maintain a place available to him when needed before and after undergoing medical procedures but that that is located in Nuevo Laredo, Tamaulipas Mexico when he can afford to maintain such.

28. As the Court will see in plaintiffs Exhibit 1 attached hereto, plaintiff uses a Google service known as Google Location which records ones location and movement between one and another. Plaintiff provides wide views of maps as well to demonstrate contrary to defendants repeated false assertions, I have been to Monterrey Nuevo Leon Mexico on one instance as set forth in plaintiffs sworn affidavit and plaintiff does not now nor has plaintiff ever resided in Monterrey Mexico.

29. Plaintiff reasserts as stated in original response, Plaintiff intentionally asserted reference to Monterrey Mexico to demonstrate defendants repeated history of publishing and making statements of fact they fail to verify it to be factual.

As to Defendants reply pertaining to the alternative to dismissal of transferring venue, Defendants confirm plaintiffs statement defendants seek transfer solely for purpose of not having to travel to Texas. Jurisdiction is proper in the Southern District Court of Texas, defendants engage in business which includes business which takes place in Texas when any follower and or subscriber from Texas signs up and makes payment. Further more Defendants advertise by way of targeting subjects and individuals within the state of Texas. Defendants receive revenue and benefit financially from X formerly known as Twitter from advertisers, subscribers and audience views within Texas. Defendants are not entitled to pick its preferred jurisdiction to answer to

their actions in nor are defendants entitled to assert transfer of jurisdiction is out of interest of non-existent witnesses especially when defendants and their fans have publicly discussed means in which they can make it financially impossible for plaintiff to pursue this action against them allowing them to escape having to truly answer for their actions.

I, Lawrence (Larry) W. Sinclair, Plaintiff in above numbered action do hereby affirm under the penalty of perjury the above is true and correct in its totality to the best of my personal knowledge.

Submitted this 2nd day of February 2024

Respectfully Submitted,
Lawrence Sinclair
Lawrence (Larry) W. Sinclair
Plaintiff, Pro Se
Mailing Address
1520 Sherman Street
Laredo, Texas 78040
602-583-3626
Email: lsnewsgroup@gmail.com

CERTIFICATE OF SERVICE

I Lawrence (Larry) W. Sinclair HEREBY certify that a true and correct copy of the foregoing **PLAINTIFFS EMERGENCY MOTION FOR RESTRAINING ORDER** has been furnished electronically by email (because Counsel for Defendants has not yet entered his appearance in the courts electronic filing system permitting selection for ECF-CM service) Charles A. Bennett cbennett@bennettlegal.com Counsel for Defendants this 2nd day of February, 2024.

Lawrence Sinclair
Lawrence (Larry) W. Sinclair
Plaintiff, Pro Se

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